

**REMARKS**

Due to an initial United States Patent and Trademark Office error of issuing two separate Filing Receipts that had each been issued separate application numbers and filing dates, as well as incorrectly stating that no filing fees had been received, a Notice to File Missing Parts was generated.

In order to correct this error, one filing receipt was to be deleted from the United States Patent and Trademark Office's system, and an updated Filing Receipt was to be mailed, per my assistant's communications with Delora Dillard of the OIPE Department via telephone and facsimile, which began on December 23, 2003.

Upon the deletion of one of the application numbers, the United States Patent and Trademark Office apparently inadvertently, returned to us, a check for the filing fees originally included with the initial filing of the above-referenced patent application; thereby, causing another Notice to File Missing Parts to ensue, that requested payment of the originally, timely filed, filing fees.

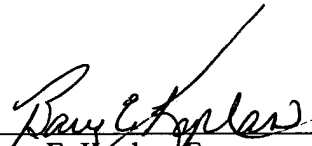
**CONCLUSION**

As this was a United States Patent and Trademark Office generated error, Applicant respectfully requests a refund of the additional fees that were incurred, namely, the \$65.00 late basic filing fee surcharge and the one-month extension of time fee of \$55.00. In addition, please mail an updated filing receipt that notes thereon, the filing fees have been paid.

Should there be any questions or concerns, the Examiner is invited to telephone Applicant's undersigned attorney.

(Signature follows)

Respectfully submitted, this 19<sup>th</sup> day of October, 2004.

  
Barry E. Kaplan, Esq.  
Reg. No. 38,934

MYERS & KAPLAN  
INTELLECTUAL PROPERTY LAW, L.L.C.  
1899 Powers Ferry Road, Suite 310  
Atlanta, GA 30339  
Telephone: (770) 541-7444  
Facsimile: (770) 541-7448  
E-Mail: bkaplan@mkiplaw.com

Attorney Docket Number: 010214002-CIP